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2 Including Professional Corporations
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HOLDINGS, LLC, and DONALD BRAUN
8

9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11

12 ORACLE CORPORATION, a Delaware
corporation,

13 Plaintiff,
14

15 v.

16 SKYWIRE HOLDINGS, LLC, a Delaware
limited liability company, and DONALD
BRAUN, SELLER REPRESENTATIVE,
17 an individual,

18 Defendants.
19

Case No. 08 5702 CRB

**STIPULATION AND ORDER TO
CONTINUE HEARING DATE ON
DEFENDANTS' MOTION TO
CONSOLIDATE**

Hearing date: Friday, June 19, 2009
Time: 10:00 a.m.
Dept.: 8
Judge: The Honorable Charles R.
Breyer

[Complaint Filed: November 18, 2008]

21 ORACLE USA, Inc.

22 Plaintiffs,
23

24 v.

25 HCC SPECIALTY INSURANCE
COMPANY,

26 Defendants.
27
28

Case No. 09-01339 CRB

1 Pursuant to Local Rule 7-7(b)(1), the parties hereto stipulate to continue the
2 hearing date on defendants Skywire Holdings, LLC, and Donald Braun's (collectively
3 "Defendants") motion to consolidate from June 19, 2009 to July 10, 2009 at 10:00 a.m.

4 The reason for the continuance is that a tentative settlement has been reached
5 in Oracle USA v. HCC Specialty Insurance Company, case no. 09-01339 CRB (the
6 "Second Action"). Because this action is one of the two actions Defendants sought to
7 consolidate, the settlement makes Defendants' motion to consolidate moot. The parties to
8 the Second Action intend to document and finalize their settlement by the end of June. If
9 the Second Action is not dismissed by that date, Defendants intend to move forward with
10 their motion.

11
12 Dated: June 4, 2009

13 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

14
15 By /s/
16 ROBERT J. STUMPF, JR.
17 STEVEN H. WINICK

18 Attorneys for Defendants SKYWIRE HOLDINGS,
19 LLC, and DONALD BRAUN

20 Dated: June 4, 2009

21 HOLME ROBERTS & OWEN

22
23
24 By /s/
25 MERYL MACKLIN

26 Attorneys for PLAINTIFFS ORACLE
27 CORPORATION and ORACLE USA
28

1 Dated: June 4, 2009

2 NIXON PEABODY LLP

3
4 By /s/

5 /s/

6 DONALD E. DORFMAN

7 Attorneys for Defendants HCC SPECIALTY
8 INSURANCE COMPANY

9
10 **PROPOSED ORDER**

11 IT IS HEREBY ORDERED THAT the hearing date on defendants Skywire
12 Holdings, LLC, and Donald Braun's (collectively "Defendants") motion to consolidate is
13 continued from June 19, 2009 to July 10, 2009 at 10:00 a.m.

14
15 Dated: June 5, 2009

